

REMARKS

Claims 1-15 are pending. By this Amendment, Claims 1-9 are amended and Claims 10-15 added. As the amendments to the Claims are made to correct grammatical issues therein; address informalities therein; and/or are supported by the originally filed application, such as in Figure 1, Applicants respectfully submit no new matter is presented.

Allowable Subject Matter

Applicants respectfully acknowledge and appreciate the indication by the Examiner that Claims 3-4 and 8-9, although objected to for being dependent upon a rejected base claim, would be allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. In this regard, Applicants respectfully note that new independent Claim 10 corresponds to originally filed Claims 1-3; new independent Claim 12 corresponds to originally filed Claims 1-2 and 4; new independent Claim 14 corresponds to originally filed Claims 6-8; and new independent Claim 15 corresponds to originally filed Claims 6-7 and 9. As such, Applicants respectfully submit Claims 10, 12 and 14-15 are in condition for allowance. New dependent Claims 11 and 13 correspond to originally filed dependent Claim 5. Applicants respectfully submit Claims 11 and 13 are also in condition for allowance as they depend from allowable independent claims as well as for the additional subject matter recited therein.

Drawings

The drawings are objected to under 37 C.F.R. §1.83(a) for not showing every feature of the invention recited in the claims, in particular, the motor for driving an oil pump or starting the as recited in Claim 5. Applicants respectfully traverse the objection.

Applicants respectfully point out that paragraph [0017] of the originally filed application clearly states that the secondary motor may be at least one of a motor that drives the compressor of an air conditioner; a motor that drives an oil pump; and a motor that starts the vehicle's engine. Furthermore, paragraph [0018] of the same application notes that an auxiliary unit motor M2 corresponds to the above-referenced secondary motor. Moreover, originally filed drawing Figure 1 of the instant application clearly shows the auxiliary unit or secondary motor M2 is located between the compressor C and changeover switch S. Therefore, Applicants respectfully submit the originally filed drawings clearly show every feature recited by the pending claims.

As such, Applicants respectfully request withdrawal of the objection.

Claim Rejections – 35 U.S.C. §112

Claims 1-9 are rejected under 35 U.S.C. §112, second paragraph. As the claims have been amended responsive to the rejection, Applicants respectfully request withdrawal of the rejection.

Regarding the assertion made by the Office Action regarding "whether or no applicant's specification supports the secondary motor being used for any other purpose than as a vehicle drive," Applicants respectfully refer the Office to the section above entitled **Drawings**, wherein the Office Action's assertion is fully and completely rebutted

with a clear and coherent explanation as to where in the originally filed application such support is provided.

Claim Rejections – 35 U.S.C. §103

Claims 1-2 and 5-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,064,161 to Takahara et al. (Takahara) in view of U.S. Patent No. 5,361,565 to Bayer. Applicants respectfully traverse the rejection.

Claim 1 recites a hybrid vehicle including an engine and a primary motor as a drive source for running the vehicle; a secondary motor; and a switching unit for controlling the primary motor and the secondary motor via a common inverter, ***wherein the switching unit is disposed between the common inverter and the primary and secondary motors.***

Claim 6 recites a method for controlling a hybrid vehicle including an engine and a primary motor as a drive source for running the vehicle, and a secondary motor, the method includes the steps of ***disposing a switching unit between a common inverter and the primary and secondary motors***; and controlling the primary motor and the secondary motor via the common inverter.

Takahara teaches a hybrid vehicle having an engine (1), a primary motor (26) for driving the vehicle, and a secondary motor (10), which operates auxiliary units of the vehicle. The primary motor (26) is connected to a power storage device (73) via a drive circuit (74) provided with an inverter. The secondary motor (10) is connected to a battery (71) via another drive circuit (72) that is provided with another inverter that is separate and distinct from the inverter in the drive circuit (74). As such and as admitted by the Office Action, Takahara fails to teach or suggest a common inverter controlling

both motors (26) and (10). Because each motor (26) and (10) has their own inverter, Takahara also fails to teach or suggest a switching unit that would switch the control of the motors via the omitted common inverter.

To overcome or otherwise address the admitted deficiencies of the Takahara engine, the Office Action cites Bayer.

Bayer teaches an elevating system that is used for raising and lowering equipment, and more particularly, teaches a motorized winch assembly having a control unit (16) that includes an AC inverter (204) mounted in a control panel (200) of the control unit (16). Each winch assembly (14) of the Bayer elevating system includes a motor (56). A selector switch (207) mounted on the control panel (200) allows the inverter (204) to switch between the different motors (56) of each winch assembly (14). As such, Bayer clearly teaches disposing the selector switch (207) on a control panel (200), with the common inverter (204) positioned in the control panel (200). Bayer does not teach or suggest the switch (207) being disposed between the inverter (204) and the different motors (56) but rather teaches the inverter (204) being positioned between the switch (207) and the motors (56).

Accordingly, Applicants respectfully submit that Takahara and Bayer, alone or in combination, fail to teach or suggest a common inverter controlling primary and secondary motors wherein a switching unit is disposed therebetween.

As is well known, to establish *prima facie* obviousness, each feature of a rejected claim must be taught or suggested by the applied art of record. See M.P.E.P. §2143.03. As explained above, Takahara and Bayer, alone or in combination, fail to teach or suggest each and every feature recited by Claims 1 and 6. Therefore,

Applicants respectfully submit Claims 1 and 6 are not rendered obvious by the teachings of Takahara and Bayer.

Accordingly, Applicants respectfully submit Claims 1 and 6 should be deemed allowable over Takahara and Bayer for the reasons discussed above.

Claims 2 and 5 depend from Claim 1. Claim 7 depends from Claim 6. It is respectfully submitted that these dependent claims should be deemed allowable for the same reasons Claims 1 and 6 are allowable, as well as for the additional subject matter recited therein.

As such, Applicants respectfully request withdrawal of the rejection.

Rejoinder of Non-elected Species II-IV

As noted in the Response dated September 28, 2005, Claims 1 and 6 are generic to all species identified in the Office Action dated August 29, 2005. Accordingly, upon the allowance of generic Claims 1 and/or 6, Applicants respectfully request the rejoinder of non-elected Species II-IV as provided by 37 C.F.R. §1.141.

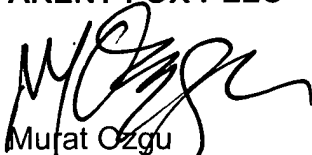
Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objections and rejections, rejoinder of Species II-IV, allowance of the Claims 1-15, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107355-00090.**

Respectfully submitted,
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